

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee : Vega *et al.*  
Serial No. : 10/022,249  
Filed : December 17, 2001

Art Unit : 1631  
Examiner : Jerry Lin  
Confirm. No.: 7196  
Cust. No. : 77202

**Patent No. : 7,647,184**

Issued : January 12, 2010

Title : **HIGH THROUGHPUT DIRECTED EVOLUTION BY RATIONAL  
MUTAGENESIS**

**MAIL STOP OFFICE OF PETITIONS / OPLA**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 C.F.R. § 1.705(D)**


Dear Sir:

Patentee hereby files this Application for Patent Term Adjustment under 37 C.F.R. § 1.705(d), respectfully requesting reconsideration of the Patent Term Adjustment (PTA) accorded U.S. Patent No. 7,647,184 (the "184 Patent"). The *Determination of Patent Term Adjustment* under 35 U.S.C. 154(b) included with the *Issue Notification* states that the Total Patent Term Adjustment at issuance is "0" days. Patentee hereby provides a statement of the facts involved, specifying the correct PTA, and the basis under 37 C.F.R. § 1.702 for the adjustment, the relevant dates for which the adjustment is sought, and the adjustment to which the patent is entitled.

03/16/2010 CCHAU2 00000086 021818 7647184  
01 FC:1455 200.00 DA

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**  
"Express Mail" Mailing Label Number EM 315456112 US  
Date of Deposit: **March 12, 2010**

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Mail Stop Petitions, Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

  
Stefanie Dost

STATEMENT OF THE FACTS and REVIEW OF FILE HISTORY

As reflected in the file history, in good faith and candor, Patentee filed a *Letter Regarding Patent Term Adjustment at Allowance Pursuant to Comment 43 of the Final Rule* on September 24, 2009, which was granted November 18, 2009, thereby adjusting and increasing the APPL Delay by 100 days.

After Allowance, the Patent Office determined that a 10 day APPL delay should be made based on receipt of an *Information Disclosure Statement* on October 19, 2009, which was included in the filing of the issue fee payment. **Patentee does not agree with this adjustment.**

The subject *Information Disclosure Statement* entry was actually for copies of *Supplemental Information Disclosure Statements* that were previously filed before Allowance on February 07, 2008, July 10, 2008, and April 16, 2009, respectively, and referenced in the *Comments on Reasons for Allowance* filed with the *Issue Fee Transmittal* on October 19, 2009. As noted in the *Comments on Reasons for Allowance*, these *Supplemental IDS's* were mis-coded by the Patent Office, and not properly directed by the Office to Examiner Lin. Diligent exchanges with the Office to have the statements considered ultimately resulted in the submission of copies at that time for the convenience of the Examiner. (See Exhibit A.) Thus, there was no Applicant delay in submitting the *Information Disclosure Statement*.

Further, upon issuance of this '184 patent, the Patent Term Adjustment History and calculations were updated to include an entry on December 23, 2009 that recites "PTA 36 Months" with a zero total for USPTO Delay Days. **Patentee does not agree with this adjustment.**

In view of the *Wyeth v. Kappos* decision, Patentee respectfully submits that this calculation is incorrect and USPTO Delay days appear understated. This request is included in this application as the new PTO/SB/131 form "*REQUEST FOR RECALCULATION OF PATENT TERM ADJUSTMENT IN VIEW OF WYETH*" states use is for pre-Wyeth interpretation of 35 U.S.C. 154(b)(2)(A) only, and thus would not address the above stated APPL Delay calculation error.

Wyeth holds that a Patentee is entitled to all days beyond the prescribed limits for various actions and activities, as long as the days don't overlap. 35 U.S.C. §154(b)(1)(B) establishes that a patent's term is to be extended for each day that the application is pending beyond three years from the filing date. The three-year clock stops if certain events occur, such as the filing of a *Request for Continued Examination* (RCE). **The PTA 36 month deadline for**

Patentee : Vega *et al.*  
Patent No. : 7,647,184  
Issued : January 12, 2010

Attorney's Docket No.: 3800073.00002 / 911  
**Request for Reconsideration of PTA**

**this application was December 17, 2004.** A *Request for Continued Examination* was later filed September 01, 2005.

#### REMARKS

In summary and in consideration of the foregoing, Patentee respectfully requests correct of the calculation of the Total PTA, under provisions of 37 C.F.R. §1.705 and 35 U.S.C. §154 in view of *Wyeth*, to include the increase of **258 PTO Delay days** accumulated between the 36 month date of December 17, 2004, and the filing of the first *Request for Continued Examination (RCE)* on September 01, 2005, for a **total of 684 PTO Delay days (426 + 258 = 684)** minus the adjusted APPL Delay reduced from 460 to 450 days, for a **Total PTA of 234 days** instead of the "0" days currently accorded this patent. PTO Delay 684 minus APPL Delay 450 = 234.

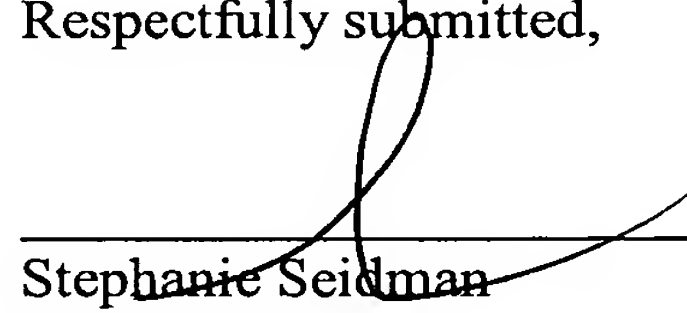
The '184 Patent is not subject to a Terminal Disclaimer, and there were no circumstances constituting a failure to engage in reasonable efforts to conclude processing or examination of this application on the part of the Patentee.

In consideration of the nature of the error by the Office, Patentee respectfully requests the petition fee of \$200 required by 1.118(e) be waived.

If the \$200 fee is still required, please apply it and any other charges or credits in connection with the filing of this paper to Deposit Account No. 02-1818.

If there are any questions, please contact the undersigned. Thank you for your courtesy and consideration.

Respectfully submitted,

  
Stephanie Seidman  
Reg. No. 33,779

Attorney Docket No. 3800073.00002 /911  
**Address all correspondence to: 77202**  
Stephanie Seidman  
K & L Gates LLP  
3580 Carmel Mountain Rd, Ste 200  
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Patentee : Vega *et al.*  
Patent No. : 7,647,184  
Issued : January 12, 2010

Attorney's Docket No.: 3800073.00002 / 911  
**Request for Reconsideration of PTA**

# Exhibit A

Date Stamped postcard of October 19, 2009 listing **copies** of subject *Supplemental Information Disclosure Statements*


Copies of Supplemental Information Disclosure Statements included with  
*Comments on Reasons for Allowance* filed October 19, 2009:

February 07, 2008

July 10, 2008

April 16, 2009

PRESS HARD. YOU ARE MAKING 3 COPIES.

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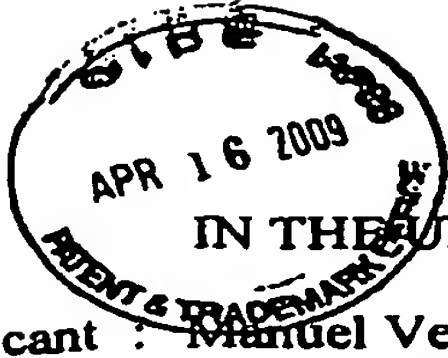
ORIGIN (POSTAL SERVICE USE ONLY)			DELIVERY (POSTAL USE ONLY)		
PO ZIP Code <i>92113</i>	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del. Day	Postage \$ <i>17.50</i>	Delivery Attempt Mo. <i>10</i> Day <i>19</i>	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> Addressee Signature
Date Accepted Mo. <i>10</i> Day <i>19</i> Year <i>2009</i>	Scheduled Date of Delivery Month <i>10</i> Day <i>19</i>	Return Receipt Fee \$ <i>0.75</i>	Delivery Attempt Mo. <i>10</i> Day <i>19</i>	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> Employee Signature
Time Accepted <input type="checkbox"/> AM <input type="checkbox"/> PM <i>2051</i>	Scheduled Time of Delivery <input type="checkbox"/> Noon <input type="checkbox"/> 3 PM	COD Fee \$ <i>0.15</i>	Delivery Date Mo. <i>10</i> Day <i>19</i>	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> Employee Signature
Flat Rate <input type="checkbox"/> or Weight lbs. <i>6</i> ozs. <i>0</i>	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Total Postage & Fees \$ <i>18.65</i>	<input type="checkbox"/> <b>NO DELIVERY</b> <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <small>WAIVER OF SIGNATURE (Domestic Mail Only) Additional insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.</small>		
<b>CUSTOMER USE ONLY</b> METHOD OF PAYMENT: <i>X920230</i> Express Mail Corporate Acct. No. <i>858 509 7400</i>			Federal Agency Acct. No. or Postal Service Acct. No.		
<b>FROM: (PLEASE PRINT)</b> K&L GATES 3580 CARMEL MOUNTAIN RD STE 200 SAN DIEGO CA 92130-6766			<b>TO: (PLEASE PRINT)</b> MAIL STOP <i>ISSUE FEE</i> COMMISSIONER FOR PATENTS PO BOX 1450 ALEXANDRIA VA 22313-1450		

*3800073*  
*10/22/2009*

**FOR PICKUP OR TRACKING: Visit [WWW.USPS.COM](http://www.usps.com) or Call 1-800-222-1811**

Attorney's Docket No. 3800073-00002 / 911	Express Mail Label No. EM 315455117 US	Mailing Date October 19, 2009	<b>For PTO Use Only</b> Do Not Mark in This Area  
Application No. 10/022,249	Filing Date December 17, 2001	Attorney/Secretary Init SLS/JAS	
Title of the Invention HIGH THROUGHPUT DIRECTED EVOLUTION BY RATIONAL MUTAGENESIS			
Applicant Manuel Vega et al.			
Enclosures <ul style="list-style-type: none"> <li>Transmittal Letter and fee authorization (1-page);</li> <li>Comments Responsive to the Reasons for Allowance and Additional Comments Re Entity Status and Information Disclosure Statements (3 pgs) with attached copies of three (3) Supplemental Information Disclosure Statements date stamped APR 16, 2009 (3 pgs), JUL 10, 2008 (3 pgs), and FEB 07, 2008 (5 pgs)</li> <li>PTOL-85 Part B-Fee(s) Transmittal for Issue Fee, Publication Fee, and Advance Order for 14 copies (1page and extra copy to charge Deposit Account); and</li> <li>This return postcard</li> </ul>			





Applicant : Manuel Vega et al.  
Serial No. : 10/022,249  
Filed : December 17, 2001  
Cust. No. : 77202  
Title : HIGH THROUGHPUT DIRECTED EVOLUTION BY RATIONAL  
MUTAGENESIS

Art Unit : 1631  
Examiner : Jerry Lin  
Conf. No. : 7196

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN  
ACCORDANCE WITH 37 C.F.R. §§1.97-1.98**

Dear Sir:

Because this Supplemental Information Disclosure Statement is filed after the receipt of a First Office Action on the Merits for the above-captioned application, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 02-1818.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all information known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (1 page) and copies of the cited non U.S. patent documents are provided herewith in connection with the above-captioned application.

The documents listed on the Form PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

A copy of a Communication from the European Patent Office (Document I), issued April 14, 2008, in connection with corresponding European Patent Application No. 02798018.4 regarding the intention to grant an European patent is provided. A copy of an Office Action,

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
"Express Mail" Mailing Label Number EM 315453677 US  
Date of Deposit April 16, 2009.  
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

  
Christopher Ochs

Applicant : Manuel Vega et al.  
Serial No. : 10/022,249  
Filed : December 17, 2001

**\*\* Attachment to Comments on Reasons for Allowance:  
Copy of Information Disclosure Statement, filed April 16, 2009 \*\***  
Attorney's Docket No.: 119365-00002 / 911  
Supplemental Information Disclosure Statement

(Document II), issued September 16, 2008, in connection with co-owned U.S. Application Ser. No. 10/658,355 is provided. A Copy of an Office Action, (Document III), issued December 24, 2008, in connection with co-owned U.S. Application Ser. No. 11/707,014 is provided. The table below lists Documents I-III and includes a column that provides a space next to the documents to be considered, for the Examiner's initials.

Examiner Initial	Document No.	Document
	I	Copy of Communication from European Patent Office, issued April 14, 2008, in connection with corresponding European Patent Application No. 02798018.4
	II	Copy of Office Action, issued September 16, 2008, in connection with U.S. Application Ser. No. 10/658,355
	III	Copy of Office Action, issued December 24, 2008, in connection with U.S. Application Ser. No. 11/707,014

In the Office Actions, dated May 13, 2008 and October 16, 2008, the Examiner indicated that the Information Disclosure Statements (IDSs) submitted on February 7, 2008 and July 10, 2008, were considered and initialed by the Examiner. The IDS filed on February 7, 2008 contained a Table listing Office Actions and European Examination Reports cited in related and corresponding U.S. and foreign Patent Applications. The IDS filed on July 10, 2008 contained a Table listing an International Search Report cited in a related foreign Patent Application. These tables were not initialed by the Examiner. These IDSs included the application number of the application in which the IDS was being submitted, a column that provides a blank space next to each citation for the Examiner's initials, a heading on the listing that clearly indicates the list is an Information Disclosure Statement, and copies of listed documents. Therefore, the February 7, 2008 and July 10, 2008 IDSs are in compliance with 37 CFR §§ 1.97, 1.98 and MPEP § 609 and Applicant respectfully requests that Examiner consider and initial all information listed in the tables submitted in the IDSs filed February 7, 2008 and July 10, 2008.

Further to the list provided in the communication filed on July 10, 2008, applicant also makes known to the examiner the following pending U.S. and International Applications that have one or more common inventors and/or are common ownership:

**\*\* Attachment to Comments on Reasons for Allowance:  
Copy of Information Disclosure Statement, filed April 16, 2009 \*\***  
Attorney's Docket No.: 119365-00002 / 911  
Supplemental Information Disclosure Statement

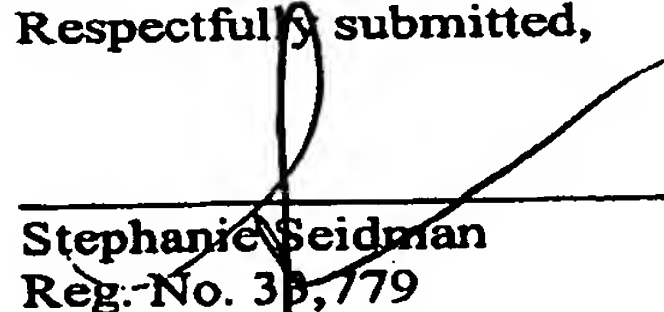
Applicant : Manuel Vega et al.  
Serial No. : 10/022,249  
Filed : December 17, 2001

U.S.S.N.	Filing Date	Publ. No.	Publ. Date	Docket No.
11/704,141	02/07/07	2008-0194477	08/14/08	922D
11/706,088	02/13/07	2008-0274081	11/06/08	922F
11/788,836	04/19/07	2008-0260820	10/23/08	932
12/082,365	04/09/08	2008-0274081	11/06/08	922I
12/082,389	04/09/08	2009-0053147	02/26/09	922J
Int'l App. No.	Filing Date	Publ No.	Publ. Date	Docket No.
PCT/GB07/004520	11/27/2007	WO 08/065372	06/05/08	931PC

Although these documents and applications are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the information, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97 (g and h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56 (b) exists.

Applicant respectfully requests that the Examiner review the foregoing documents and make them of record in the file history of the above-captioned application.

Respectfully submitted,

  
Stephanie Seidman  
Reg. No. 38,779

Attorney Docket No. 0119365-00002 / 911  
Address all correspondence to:  
Stephanie Seidman  
K&L Gates LLP  
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San Diego, California 92130  
Telephone: (858) 509-7410  
Facsimile: (858) 509-7460  
email: stephanie.seidman@klgates.com



**Attachment 2: Copy of Information Disclosure Statement,  
filed July 10, 2008, in U.S. Application Serial No.  
10/022,249**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Manuel Vega et al.                      Art Unit : 1631  
Serial No. : 10/022,249                              Examiner : Jerry Lin  
Filed : December 17, 2001                          Conf. No. : 7196  
Cust. No. : 77202  
Title : HIGH THROUGHPUT DIRECTED EVOLUTION BY RATIONAL  
MUTAGENESIS

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN  
ACCORDANCE WITH 37 C.F.R. §§1.97-1.98**

Dear Sir:

This Supplemental Information Disclosure Statement is filed after a Request for Continued Examination of the above-captioned application and prior to receipt of an Office Action. Thus, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 02-1818.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all information known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (1 page) and copies of the cited non U.S. patent documents are provided herewith in connection with the above-captioned application.

The documents listed on the Form PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
"Express Mail" Mailing Label Number EM 247737964 US  
Date of Deposit July 10, 2008  
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

  
Steven Dennis

Applicant : Manuel Vega et al.  
Serial No. : 10/022,249  
Filed : December 17, 2001

**\*\* Attachment to Comments on Reasons for Allowance:  
Copy of Information Disclosure Statement, filed July 10, 2008 \*\***  
Attorney's Docket No.: 119365-000027911  
Supplemental Information Disclosure Statement

A Copy of an International Search Report, (Document I), issued June 13, 2008, in connection with co-owned International Application No. PCT/US2007/014219 is provided. The table below lists Documents I and includes a column that provides a space next to the documents to be considered, for the Examiner's initials.

Examiner Initial	Document No.	Document
	I	Copy of International Search Report, issued June 13, 2008, in connection with co-owned International Application No. PCT/US2007/014219

In the International Search Report, (Document I), issued June 13, 2008, the following document is cited: Chang et al., "Identification of functionally important residues of the epidermal growth factor-2 domain of factor IX by alanine-scanning mutagenesis. Residues Asn(89)-Gly(93) are critical for binding factor VIIIa." *J Biol Chem* 277:25393-25399 (2002). Document 1 is made of record in the instant application in this Information Disclosure Statement, supplied with Forms PTO-1449 and copies of the cited non U.S. patent documents.

In the Office Action dated May 13, 2008, the Examiner indicated that the Information Disclosure Statement (IDS) submitted on February 7, 2008 was considered and initialed by the Examiner. The IDS filed on February 7, 2008 contained a Table listing Office Actions and European Examination Reports cited in related and corresponding U.S. and foreign Patent Applications. This Table was not initialed by the Examiner. The Information Disclosure Statement includes the serial number of the application for which the IDS was submitted, a heading that clearly indicates the list is an Information Disclosure Statement, a Table containing a column with a blank space next to each citation for the Examiner's initials and copies of cited documents. Therefore, the February 7, 2008 IDS is in compliance with 37 CFR §§ 1.97, 1.98 and MPEP § 609. Applicant respectfully requests that the Examiner consider and initial all information listed in the Table submitted in the IDS filed February 7, 2008.

Further to the list provided in the Information Disclosure Statement filed on February 7, 2008, Applicant also makes known to the Examiner the following pending U.S. and International Applications that have one or more common inventors and/ or are commonly owned:

Applicant : Manuel Vega et al.  
Serial No. : 10/022,249  
Filed : December 17, 2001

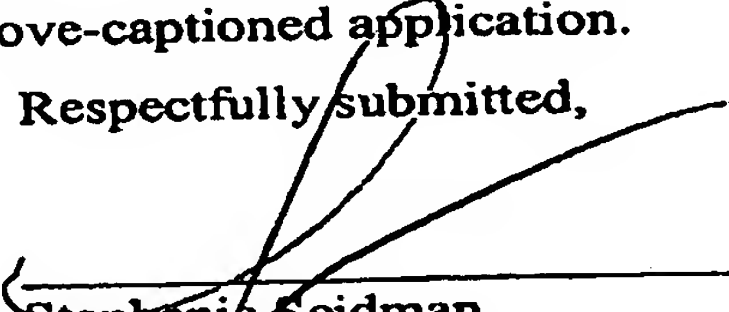
**\*\* Attachment to Comments on Reasons for Allowance:  
Copy of Information Disclosure Statement, filed July 10, 2008 \*\***  
Attorney's Docket No.: 119365-00002 / 911  
Supplemental Information Disclosure Statement

U.S.S.N.	Filing Date	Publ. No.	Publ. Date	Docket No.
11/703,610	02/06/07	2008-0075672	03/27/08	922C
11/729,267	03/27/07	2008-0038224	02/14/08	924
11/729,266	03/27/07	2008-0003202	01/03/08	924B
11/818,985	06/15/07	2008-0102115	05/01/08	930
11/825,604	07/05/07	2008-0159977	07/03/08	922H
11/998,387	11/28/07	n/a	n/a	931
12/082,365	04/09/08	n/a	n/a	922I
12/082,389	04/09/08	n/a	n/a	922J
12/157,150	06/06/08	n/a	n/a	922K
Int'l App. No.	Filing Date	Publ No.	Publ. Date	Docket No.
PCT/GB07/004520	11/27/2007	n/a	n/a	931PC

Although these documents and applications are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the information, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97 (g and h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56 (b) exists.

Applicant respectfully requests that the Examiner review the foregoing documents and make them of record in the file history of the above-captioned application.

Respectfully submitted,

  
Stephanie Seidman  
Reg. No. 33,779

Attorney Docket No. 119365-00002 / 911  
Address all correspondence to:  
Stephanie Seidman  
Bell, Boyd & Lloyd LLP  
3580 Carmel Mountain Road, Suite 200  
San Diego, California 92130  
Telephone: (858) 509-7410  
Facsimile: (858) 509-7460  
email: sseidman@bellboyd.com

**Attachment 3: Copy of Information Disclosure Statement,  
filed February 7, 2008, in U.S. Application Serial No.  
10/022,249**





Attorney's Docket No.: 17109-002001 / 911

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Manuel Vega et al.  
Serial No. : 10/022,249  
Filed : December 17, 2001  
Cust. No. : 20985  
Title : HIGH THROUGHPUT DIRECTED EVOLUTION BY RATIONAL  
MUTAGENESIS

Art Unit : 1631  
Examiner : Jerry Lin  
Conf. No. : 7196

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN  
ACCORDANCE WITH 37 C.F.R. §§1.97-1.98**

Dear Sir:

Because this Supplemental Information Disclosure Statement is after receipt of a first Office Action on the Merits of the above-captioned application, the filing fee of \$180 is enclosed. If no proper payment is enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all information known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (1 page) and copies of the cited non U.S. patent documents are provided herewith in connection with the above-captioned application.

02/12/2008 CCHAU1 00000070 10022249  
01 FC:1806 180.00 DP

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
"Express Mail" Mailing Label Number EV 965985825 US  
Date of Deposit February 7, 2008  
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Stephanie Seidman

**\*\* Attachment to Comments on Reasons for Allowance:  
Copy of Information Disclosure Statement, filed February 7, 2008 \*\***

Applicant : Manuel Vega et al.  
Serial No. : 10/022,249  
Filed : December 17, 2001

Attorney's Docket No.: 17109-002001 / 911  
Supplemental Information Disclosure Statement

The documents listed on the Form PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed item is necessary.

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Examiner Initial	Document No.	Document
	I	Copy of European Examination Report, issued July 31, 2007, in connection with European Patent Application No. 02798018.4
	II	Copy of U.S. Office Action, issued May 9, 2006, in connection with U.S. Application Ser. No. 10/658,355
	III	Copy of U.S. Office Action, issued March 12, 2007, in connection with U.S. Application Ser. No. 10/658,355
	IV	Copy of U.S. Office Action, issued December 10, 2007, in connection with U.S. Application Ser. No. 10/658,355
	V	Copy of European Examination Report, issued August 2, 2005, in connection with European Patent Application No. 03748392.2
	VI	Copy of European Examination Report, issued June 2, 2006, in connection with European Patent Application No. 03748392.2

In the U.S. Office Action, issued May 9, 2006 (Document II), three documents are cited: 1) US 5,096,815, 2) Alam et al., "Expression and purification of a mutant human growth hormone that is resistant to proteolytic cleavage by thrombin, plasmin and human plasma in vitro," *J. Biochem.* 65:183-190 (1998), and 3) Chiang et al., "In vivo genetic analysis of bacterial virulence," *Ann. Rev. Microbiology* 53:129-154 (1999). Documents 1-3 are made of record in

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the instant application in an Information Disclosure Statement, supplied with Forms PTO-1449 and copies of the cited non U.S. patent documents, filed June 22, 2006. In the U.S. Office Action, issued March 12, 2007 (Document III), one document is cited: 1) Stabach et al., "Site-directed mutagenesis of alpha II spectrin at codon 1175 modulates its mu-calpain susceptibility," *Biochemistry* 36:57-65 (1997). Document 1 is made of record in the instant application in this Information Disclosure Statement, supplied with Forms PTO-1449 and copies of the cited non U.S. patent documents. In the U.S. Office Action, issued December 10, 2007 (Document IV), four documents are cited: 1) US 6,548,640, 2) Jones et al., "The rapid generation of mutation data matrices from protein sequences" *CABIOS* 8:275-282 (1992), 3) Alam et al., "Expression and purification of a mutant human growth hormone that is resistant to proteolytic cleavage by thrombin, plasmin and human plasma in vitro," *J. Biochem.* 65:183-190 (1998), and 4) Chiang et al., "In vivo genetic analysis of bacterial virulence," *Ann. Rev. Microbiology* 53:129-154 (1999). Documents 1-2 are made of record in the instant application in this Information Disclosure Statement, supplied with Forms PTO-1449 and copies of the cited non U.S. patent documents. Documents 3-4 are made of record in the instant application in an Information Disclosure Statement, supplied with Forms PTO-1449 and copies of the cited non U.S. patent documents, filed June 22, 2006.

In the European Examination Report, issued August 2, 2005 (Document V), five documents are cited: 1) US 5,223,409, 2) WO 01/61344, 3) Manetti et al., "Design and realization of a tailor-made enzyme to modify the molecular recognition of 2-arylpropionic esters by *Candida rugosa* lipase," *Biochem. Biophys. Acta.* 1543(1):146-158 (2000), 4) WO 03/023032 5) Lewerenz et al., "Shared receptor components but distinct complexes for alpha and beta interferons," *J. Mol. Biol.* 282(3):585-599 (1998). Documents 1-5 are made of record in the instant application in an Information Disclosure Statement, supplied with Forms PTO-1449 and copies of the cited non U.S. patent documents, filed March 15, 2005. In the European Examination Report, issued June 2, 2006 (Document VI), three documents are cited: 1) US 6,013,478, 2) WO 95/23813, 3) WO 01/32844. Documents 1-3 are made of record in the instant application in an Information Disclosure Statement, supplied with Forms PTO-1449 and copies of the cited non U.S. patent documents, filed March 15, 2005.

**\*\* Attachment to Comments on Reasons for Allowance:  
Copy of Information Disclosure Statement, filed February 7, 2008 \*\***

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Further to the list provided in the communication filed on March 2, 2007, applicant also makes known to the examiner the following pending U.S. and International Applications that have one or more common inventors and/ or are commonly owned:

<b>U.S.S.N.</b>	<b>Filing Date</b>	<b>Publication or Issue No.</b>	<b>Publication or Issue Date</b>	<b>Docket No.</b>
11/267,871	11/03/05	2007-0249532	10/25/07	925
11/656,921	01/22/07	2007-0254838	11/01/07	922E
11/703,610	02/06/07	n/a	n/a	922C
11/704,141	02/07/07	n/a	n/a	922D
11/706,088	02/13/07	2007-0172459	07/26/07	922F
11/707,014	02/14/07	2007-0224665	09/27/07	922G
11/729,267	03/27/07	n/a	n/a	924
11/729,266	03/27/07	n/a	n/a	924B
11/788,836	04/19/07	n/a	n/a	932
11/818,985	06/15/07	n/a	n/a	930
11/825,604	07/05/07	n/a	n/a	922H
<b>Int'l App. No.</b>	<b>Filing Date</b>	<b>Publication No.</b>	<b>Publication Date</b>	<b>Docket No.</b>
PCT/IB06/002034	05/04/06	WO 06/120580	11/16/06	926PC
PCT/EP07/002700	03/27/07	WO 07/110231	10/04/07	924PC
PCT/US07/14219	06/15/07	n/a	n/a	930PC

Although these documents and applications are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the information, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97 (g and h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56 (b) exists.

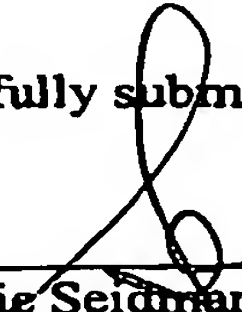
Applicant respectfully requests that the Examiner review the foregoing documents and make them of record in the file history of the above-captioned application.

**\*\* Attachment to Comments on Reasons for Allowance:  
Copy of Information Disclosure Statement, filed February 7, 2008 \*\***

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**Respectfully submitted,**



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